

ADOPTED BY THE
MAYOR AND COUNCIL

JAN 07 1991

ORDINANCE NO. 7547

RELATING TO WATER; PROVIDING THAT TURNING ON WATER WITHOUT AUTHORITY IS A CIVIL INFRACTION; PROHIBITING THE ESCAPE OF WATER, AMENDING THE TUCSON CODE BY AMENDING SECTIONS 27-13, 27-15, AND 27-16.1 OF ARTICLE I OF CHAPTER 27 THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. Section 27-13 of Article I of Chapter 27 of the Tucson Code is amended to read as follows:

Section 27-13. Turning on water without authority.

If any person shall, by false key or otherwise, after the water has been shut off from any premises, cause such premises to be supplied with water, such person, and his aiders and abettors, shall be guilty of a civil infraction and subject to penalties as outlined in Section 27-16.1 of the Tucson Code.

SECTION 2. Section 27-15 of Article I of Chapter 27 of the Tucson Code is amended to read as follows:

Section 27-15. Escaping Water. Violation declared a civil infraction.

No person shall allow water to escape from any premises owned, occupied or controlled by that person onto public property, such as alleys or streets, or upon any other person's property. It shall be a civil infraction for any person, firm or corporation to violate the provisions of this section.

SECTION 3. Section 27-16.1 of Article I of Chapter 27 of the Tucson Code is amended to read as follows:

Section 27-16.1. Turning on water without authority; interfering with, tampering with water facilities; removing water; minimum penalty; subsequent conviction.

An individual or corporation convicted for the first time of the offense prohibited by section 27-13 or 27-16 shall be punished by a fine of not less than two hundred fifty dollars (\$250.00). An individual or corporation convicted of a second offense prohibited by section 27-13 or 27-16 shall be punished by a fine of not less than five hundred dollars (\$500.00). A person convicted of a third or subsequent offense prohibited by section 27-13 or 27-16 shall be punished by a fine of not less than one thousand dollars (\$1,000.00). No hearing officer may suspend the imposition of the fine prescribed herein upon a person convicted of the offense prohibited by section 27-13 or 27-16.


SECTION 4. SEVERABILITY CLAUSE. If any provision of this ordinance, or the application thereof to any person or circumstance, is invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are severable.

SECTION 5. WHEREAS, it is necessary for the preservation of the peace, health and safety of the City of Tucson that this Ordinance become immediately effective, an emergency is hereby declared to exist, and this Ordinance shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of
the City of Tucson, Arizona, JAN 07 1991.



MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:

REVIEWED BY:


CITY ATTORNEY


CITY MANAGER

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TR:lr
12/19/90